

District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Charleston	
Date: 8/8/2011	Case Number 2:09-cr-271
Case Style: USA vs. Clark Diehl	
Type of hearing Sentencing	
Before the honorable: 2508-Copenhaver	
Court Reporter Barbara Steinke	Courtroom Deputy Kelley Miller
Attorney(s) for the Plaintiff or Government Hunter P. Smith, Jr./Maria Lerner	
Attorney(s) for the Defendant(s) Benjamin L. Bailey	
Law Clerk	Probation Officer Lee Cueva

Trial Time

Non-Trial Time

Court Time

1:34 pm to 2:20 pm
Total Court Time: 0 Hours 46 Minutes Non-Trial Time/Uncontested Time

Courtroom Notes

1:30 case set

1:34 - case called - defense counsel over PSR with defendant thoroughly and understands - defendant read PSR, went over with attorney, he explained, understands everything

No objections

PSR is factually accurate

Parties agree TOL 14 + I = 15-21 months - restitution \$29,732.07

US elaborated on motion for substantial assistance

Mitigation - defense counsel, defendant

Court stated reasons for sentence including 3553(a) factors finding the guideline range appropriate prior to considering motion for substantial assistance

Sentence - 5 years probation - 6 months community confinement - \$29,732 restitution (half paid in 30 days and half 30 days

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thereafter) - no fine or costs

Report to CCC no later than 10/7/11

14 days to appeal

2:20 pm